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UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

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12 PARNELL COLVIN,) CASE NO. 2:20-cv-01765-APG-EJY
13)
14 vs. Plaintiff,) AFFIDAVIT OF PARNELL COLVIN
15) IN SUPPORT OF RESPONSE TO JESSE
16 M.J. DEAN CONSTRUCTION, INC.,) SBAIH & ASSOCIATES, LTD'S MOTION
17) TO ADJUDICATE ATTORNEY'S LIEN
18) AND REDUCE LIEN TO JUDGMENT
19)

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STATE OF NEVADA)
21 COUNTY OF CLARK) ss.

22 PARNELL COLVIN, under penalty of perjury, says:

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1. I was the Plaintiff in the above referenced case.

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2. I am making this Affidavit on personal knowledge and state that I am competent to
25 testify to the matters herein contained.

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27 3. I employed Jesse Sbair & Associates, LTD ("Sbair") as my attorney from
28 approximately June 24, 2020 until June 25, 2021. During that time he filed a complaint and an

1 amended complaint, responded to a couple of motions to dismiss and propounded some written
2 discovery, among other things

3 4. On January 12, 2021 an Early Neutral Evaluation (“ENE”) was held in the case
4 (Doc #18).

5 5. Although Sbaih represents in his motion that Defendant offered \$25,000.00 to settle
6 the case, my recollection was that the most that Defendant offered was \$6,000.00.

7 6. Regardless I didn’t accept either amount and told Sbaih that I wanted to proceed
8 with litigating the case to trial.

9 7. After the ENE, I talked to Sbaih about taking depositions which I thought were
10 essential to have any chance of winning at trial but Sbaih refused to take any depositions because
11 he said it cost too much.

12 8. When I refused to settle for much less than I thought the case was worth and he saw
13 he was going to have to put in some real work into the case including taking depositions to get the
14 case ready for trial he decided to withdraw from the case.

16 9. Thereafter on June 8, 2021 Sbaih file a motion to withdraw as my attorney (Doc
17 #30) and on June 25, 2023 I got Daniel Marks, Esq. to substitute into the case as my attorney of
18 record (Doc #37).

19 10. In my opinion all Sbaih’s office was looking to do was settle the case at the ENE
20 and once that didn’t occur his office looked to withdraw from the case.

21 **FURTHER YOUR AFFIANT SAYETH NAUGHT.**

22 Executed this 20th day of July, 2023, at Las Vegas, Nevada.

23 I say under penalty of perjury under the laws of the United States and the State of Nevada
24 that the foregoing is true and correct.

25

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/s/ Parnell Colvin
Parnell Colvin

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CERTIFICATE OF SERVICE

I hereby certify that pursuant to FRCP Rule 5(b)(3) and LR IC 4-1(a), a true and correct copy of the foregoing document was electronically served via the Court's CM/ECF electronic filing system to the following persons on July 20, 2023:

Jesse Sbaih, Esq.
Ines Olevic-Saleh, Esq.
JESSE SBAIH & ASSOCIATES, LTD
Former Attorneys for Plaintiff

Martin A. Little, Esq.
Robert L. Rosenthal, Esq.
HOWARD & HOWARD ATTORNEYS PLLC
Attorneys for Defendant

/s/ Michael P. Balaban
Michael P. Balaban